

## Part Three: General Regulations Applicable to All Districts

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**13.0 General Regulations Applicable to All Districts:**

- (1) Cannabis Retail Sales is a use only where listed as Cannabis Retail Sales in the District Use Table as Permitted or Discretionary Use.
- (2) <sup>2</sup>In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

**3.1 Parking Spaces and Areas**

- (1) <sup>3</sup>Except in the C1 (City Centre District) an owner or occupant of land must provide for not less than the number of on-site parking spaces for the applicable land use(s) as specified Table 3.1 below, notwithstanding the provisions of Parts 4-8. In calculating the parking space requirement, a fractional number will be taken to the next higher number.”

**<sup>4</sup>Table 3.1 Parking Requirements**

<b>USES</b>	<b>PARKING SPACES</b>
Places of Worship	1.0 per 6.0 persons, based on maximum occupancy of the primary congregation/sanctuary area
Auditorium, Arena	1.0 per 10.0 seats
Health Care (excluding Hospitals)	2.5 per 93.0 m <sup>2</sup>
<sup>5</sup> Hospitals, Temporary Care Facility	1.0 per 93.0 m <sup>2</sup>
<sup>6</sup> Regional Shopping Centres	5.1 per 93m <sup>2</sup> (Gross Leasable Floor Area)
<sup>7</sup> District Shopping Centres	5.1 per 93m <sup>2</sup> (Gross Leasable Floor Area)
<b><sup>8</sup>COMMERCIAL &amp; INDUSTRIAL</b>	
<b>USES</b>	<b>PARKING SPACES</b>
Adult Mini-Theater	1.0 per 3.0 seats with a minimum of 1.0 space for each individual viewing area containing 3.0 seating spaces or less
Call Centre	8.0 stalls per 93.0 m <sup>2</sup> (gross floor area)
Commercial Recreation Facility: Racquet Sports Facility	4.0 per court
<sup>9</sup> Gaming or Gambling Establishment	1.0 space per 2.3 seats

<sup>1</sup> 3357/L-2018

<sup>2</sup> 3357/S-2019

<sup>3</sup> 3357/H2009

<sup>4</sup> 3357/A-2006

<sup>5</sup> 3357/C-2007

<sup>6</sup> 3357/N-2018

<sup>7</sup> 3357/N-2018

<sup>8</sup> Correction 29

<sup>9</sup> 3357/J-2007

Bowling Alleys All other uses	5.0 per alley plus, 5.0 for staff 1.0 per 2.0 participants (at maximum capacity) plus 1.0 per 20.0 m <sup>2</sup> (gross floor area)
Commercial Entertainment Facility	1.0 per 5.0 seats
<b><sup>1</sup>Table 3.1 Parking Requirements – continued</b>	
<b>COMMERCIAL &amp; INDUSTRIAL - Continued</b>	
<b>USES</b>	<b>PARKING SPACES</b>
Commercial Service Facility, excluding Funeral Homes	2.5 per 93.0 m <sup>2</sup>
Drinking Establishment	1.0 per 4.0 seats
Funeral Homes	1.0 per 5.0 seats
Hotels, Motels and Hostels	1.0 per guest room
<sup>2</sup> Live Work Unit	1 additional parking space per unit
Local Convenience Shopping Centres	5.1 per 93.0 m <sup>2</sup> (gross floor area)
<sup>3</sup> Manufacturing and Industrial Plants, Wholesale, Servicing and Repair Establishments, Research, Laboratories and Transportation, Communication or Utility Facility	3.0 per 93.0 m <sup>2</sup> , but not less than 4.0 spaces per tenant or establishment (The Development Authority may vary this regulation to accommodate more labour intensive uses)
Warehousing, Storage Buildings and Yards	1.0 per 93.0 m <sup>2</sup> , but not less than 4.0 spaces per tenant or establishment
Merchandise Sales and/or Rentals: Sales/Rental Areas Office Areas Warehouse Warehouse Sales	5.1 per 93.0 m <sup>2</sup> 2.0 per 93.0 m <sup>2</sup> 1.0 per 93 m <sup>2</sup> 5.1 per 93 m <sup>2</sup>
Offices	2.0 per 93.0 m <sup>2</sup>
<sup>4</sup> DELETED	
<sup>5</sup> DELETED	
Repair Services	2.0 per 93.0 m <sup>2</sup>
Restaurants	1.0 per 4.0 seats
Vehicle and Equipment Sales	2.0 per 93.0 m <sup>2</sup>
<b>Schools</b>	
Public or Private Elementary and Junior High Schools	1.0 space for each classroom
Public or Private Senior High Schools	1.0 per 3.3 students, based on maximum occupancy
Colleges, Business or Commercial or Technical Schools	1.0 per 10.0 seats, plus auditorium requirements where applicable

<sup>1</sup> 3357/A-2006

<sup>2</sup> 3357/BB-2009

<sup>3</sup> Correction 29

<sup>4</sup> 3357/L-2020

<sup>5</sup> 3357/L-2020

**Table 3.1 Parking Requirements- continued**

<b>RESIDENTIAL</b>	
<b>USES</b>	<b>PARKING SPACES</b>
<sup>1</sup> Carriage Home	1.0 per unit
<sup>2</sup> Detached Dwelling, Semi-detached Dwelling, Multi-attached Building fronting onto a public roadway	2.0 per unit
<sup>3</sup> Detached Dwelling, Semi-detached Dwelling, Multi-attached Building fronting onto a private roadway	2.0 per unit plus 1.0 space for every 5.0 units which must be provided for guest parking
<sup>4</sup> Multiple Family Building	1.0 per one bedroom unit; 1.5 per two bedroom unit; 2.0 per three bedroom unit, plus 1.0 additional space for every 5.0 units which must be clearly identified as guest parking.  In the Greater Downtown, as identified in Figure 1, the parking requirement is 1.0 per residential unit regardless of the number of bedrooms in the unit, plus 1.0 additional space for every 5.0 units which must be clearly identified as guest parking.
Lodging and Boarding Houses	1.0 per 2.0 persons being accommodated
<sup>5</sup> Assisted Living Facility	0.4 per unit to provide for residents, visitors and day duty staff, with a minimum of three spaces.
Secondary suite with two or fewer bedrooms	1.0 parking spaces
Secondary suite with more than two bedrooms	2.0 parking spaces

<sup>1</sup> 3357/L-2013

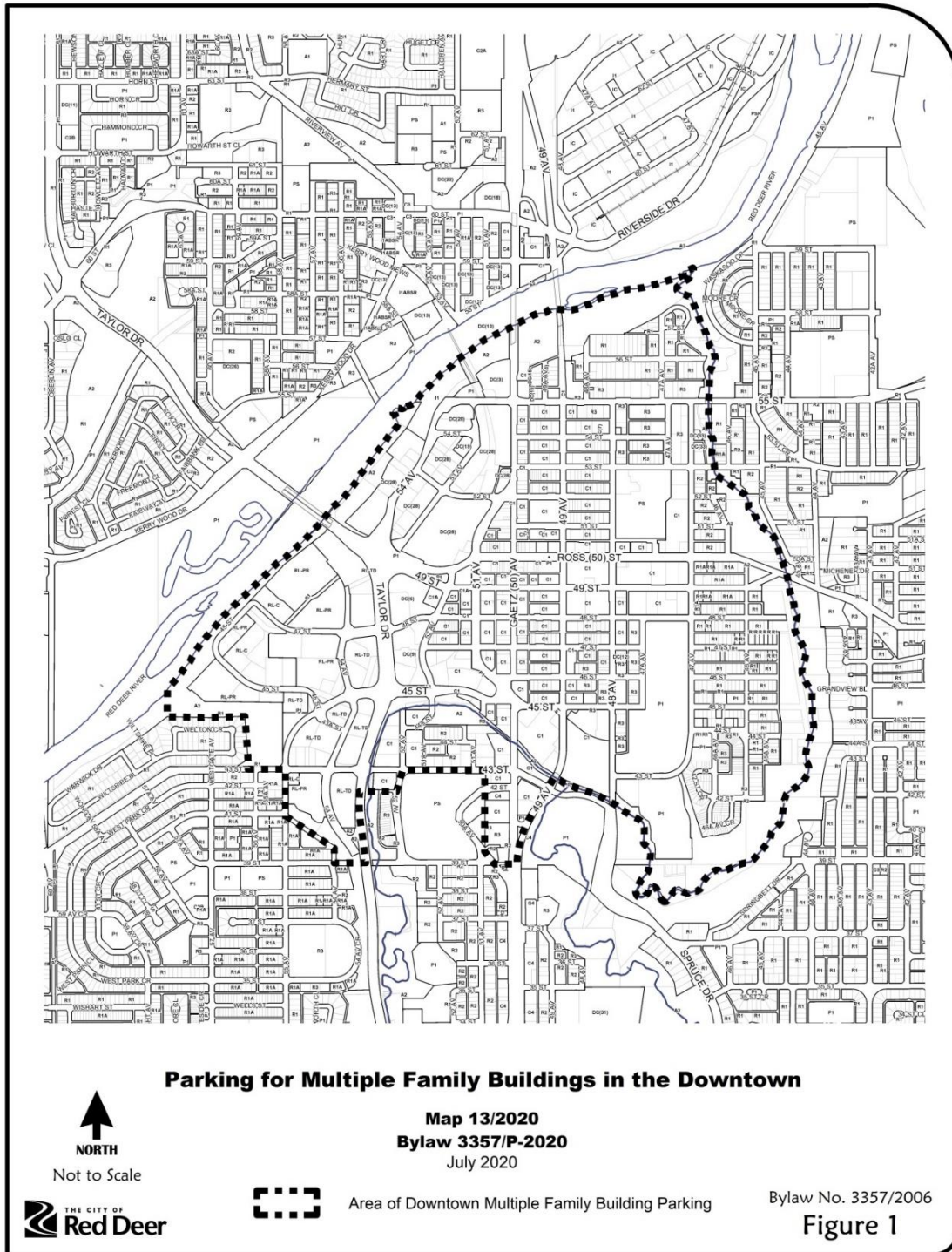
<sup>2</sup> 3357/E-2007

<sup>3</sup> 3357/E-2007

<sup>4</sup> 3357/P-2020

<sup>5</sup> 3357/C-2007

Figure 1



<sup>1</sup> 3357/P-2020

- (2) Notwithstanding section 3.1(1), all residential development in the C1 District shall meet the residential parking standards as specified above.
- (3) The parking requirement for any use not specified herein shall be as determined by the Development Authority, having regard to similar uses for which parking requirements are established.
- (4) Where there are multiple uses of a site within a shopping centre, parking shall be calculated on the basis of total shopping centre parking space requirement, rather than calculating the parking requirements for each individual use.
- (5) In all other cases where there are multiple uses of a site, the Development Authority shall calculate the parking required for each individual use and the total shall be deemed to be the required parking for the site.
- (6) Where the applicant can demonstrate that there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements, the Development Authority may reduce the parking requirement

## 3.2 <sup>1</sup>Parking Standards

- (1) The standards set out in Section 3.2 apply to the development of parking lots in all districts.
- (2) All parking areas must have access to individual parking spaces by means of unobstructed driving aisles satisfactory to the Development Authority.
- (3) A parking space must be located either:
  - a) On the same site as the building or use in respect of which it is required, or
  - b) With the approval of the Development Authority, on another site not more than 100.0m away (herein called “adjacent site”) from the building or use in respect of which it is required.
- (4) Where some or all of the required parking is to be provided on an adjacent site, the Development Authority may require the owner of the land to provide such parking in perpetuity and to secure such parking by way of restrictive covenant or other obligation secured against the title to the adjacent site and enforceable by The City.
- (5) <sup>2</sup>A minimum parking space in all districts shall be at least 2.7m in width and 5.5m in depth/length.
- (6) <sup>3</sup>Parking areas required for multi-attached, multiple family and commercial buildings shall be paved or finished to a hard surfaced standard satisfactory to the Development Authority. This does not include gravel finished parking lots.
- (7) <sup>4</sup>Driving aisles for perpendicular (90 degree) parking within new developments shall be at least 7.0 m in width. The requirement shall not apply to redevelopment applications for developments approved prior to September 11, 2006, in which case the driving aisle shall be at least 6.0 m in width.
- (8) On-site parking shall be constructed in the manner shown on the approved plan.
- (9) Curbs, concrete bumper, fences and curb stops shall be provided to the satisfaction of the Development Authority.
- (10) The minimum parking stall width and parking aisle depth, minimum overall depth and minimum driving aisle width in parking lot design shall meet the requirements of Table 3.2 below, calculated on the parking angle as shown:

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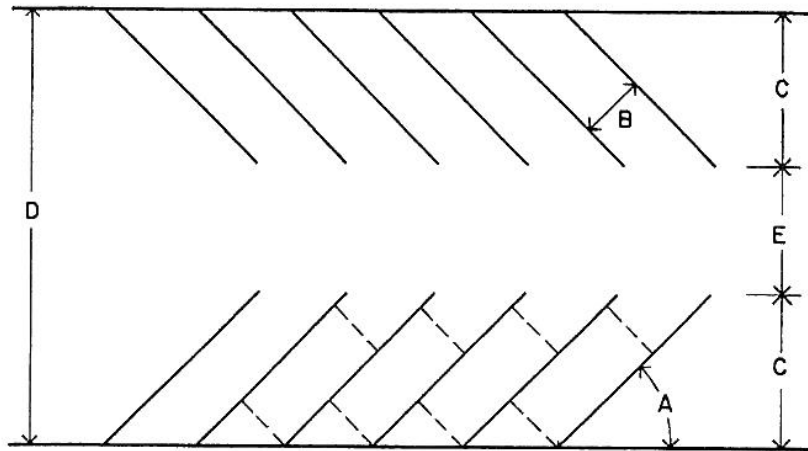
<sup>1</sup> 3357/H-2009

<sup>2</sup> 3357/A-2006 (deleted and replaced with 3357/H-2009)

<sup>3</sup> 3357/E-2014

<sup>4</sup> 3357/A-2006 (deleted and replaced with 3357/H-2009)

**Table 3.2 Minimum Parking Lot Design Standards**



A	B	C	D	E
Parking Angle	Stall Width	Parking Aisle Depth	Overall Depth	Driving Aisle
0°	2.9 m	2.9 m	9.3 m	3.5 m
30°	2.7 m	5.0 m	13.5 m	3.5 m
45°	2.7 m	5.7 m	15.4 m	4.0 m
60°	2.7 m	6.0 m	17.5 m	5.5 m
90°	2.7 m	5.5 m	18.0 m	7.0 m <sup>2</sup>

- (11) <sup>1</sup>Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

**23.2.1 Parking Layout for Commercial Developments**

- (1) The parking layout of all commercial developments shall be constructed to meet the following standards to the satisfaction of the Development Authority.
- (a) Parking aisles shall not be greater than 105.0 m in length.
  - (b) All parking aisles shall be provided with curbed islands at each end, measuring no less than 1.0 m in width.

<sup>1</sup> 3357/S-2019

<sup>2</sup> 3357/A-2006



- (c) All parking lots containing more than 200 parking spaces shall be configured into smaller cells by use of interior landscaping, drive lands, and pedestrian walkways.
- (d) Pedestrian walkways for parking lots containing more than 200 parking spaces shall be a minimum of 1.2 m in width and shall be oriented, to ensure safe and efficient pedestrian traffic flow. Such walkways shall be incorporated into any adjoining neighbourhood trail system.
- (e) All commercial developments shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic will not unduly cause hazard or impede traffic on public roads.
- (f) <sup>1</sup>With the exception of the Riverlands Districts, the parking intended for each use shall be located near the entrance of the Building containing that use.
- (g) All parking stalls within new developments shall be at least 2.7 m in width. Parking stalls within developments approved prior to September 11, 2006 shall be at least 2.6 m in width.

### **<sup>2</sup>3.2.2 Accessible Parking Design**

- (1) The intent of this subsection is to establish development standards for parking lots and walkways within all commercial, public service and to some multiple family residential developments is required to ensure accessibility by persons with mobility challenges (i.e. wheelchairs, strollers, walkers, walking canes). The requirement of this subsection 3.2.2 apply to all development permit applications for:
  - (a) new and existing developments in commercial and public service districts; and
  - (b) new and existing multiple family building residential developments which have a shared or common entrance:
- (2) Concrete curb stops shall be provided for all parking spaces adjacent to all walkways fronting commercial, public service and multiple family residential development entrances. Such curb stops shall be set back a sufficient distance from the walkways to prevent vehicles from projecting over the walkway.
- (3) Walkways along the front, rear and side of commercial, public service and multiple family residential structures shall be free of obstructions and architectural features that would impede access and travel for persons with mobility challenges.

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<sup>1</sup> 3357/Q-2016

<sup>2</sup> 3357/A-2008

- (4) Ramps shall be constructed on walkways along the front, rear or side of commercial, public service and multiple family residential structures, wherever required so as to ensure that such walkways are accessible to persons with mobility challenges.
- (5) Walkways shall be provided:
- (a) from commercial and public service developments to any adjacent transit stops and public sidewalks;
  - (b) from a multiple family development to the nearest public sidewalk;  
and
  - (c) between all principal buildings within multiple building developments.
- (6) An application for a development permit for a development in a commercial, public service or multiple family residential district that is to provide for accessibility is subject to the approval of the Development Authority, which may, in its discretion, impose additional specific obligations similar to the foregoing in order to ensure that walkways are accessible.
- (7) The Development Authority may, in its discretion, waive any of the requirements of Section 3.2.2:
- (a) in the case of a minor redevelopment of an existing commercial, public service or multiple family building, (such as an architectural modification, modified signage, a change in elevations, the installation of a shed or seasonal garden centre, or the construction of a new front entrance);
  - (b) where the redevelopment does not include an expansion of, or an amendment to, an approved site plan; or
  - (c) in the case of parking space curb stops, these may be not required if an adjoining sidewalk is of sufficient width to accommodate both vehicle overhang and accessibility by persons with mobility challenges.

### **13.2.3 Parking and Landscaping Separation**

- (1) Parking areas shall be physically separated from any landscaped areas either by the use of curb stops or any other means satisfactory to the Development Authority.

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<sup>1</sup> 3357/I-2013

**<sup>1</sup>3.3 DELETED**

**<sup>2</sup>3.4 DELETED**

**3.5 Accessory Building Regulations**

- (1) An accessory building:
- (a) shall not be erected or placed on the rear yard of a site closer to the side boundary which is a common boundary with a street than the minimum side yard for the site; and
  - (b) may not be erected or placed over a gas line if the accessory building is on a permanent foundation.
- (2) <sup>3</sup>No Accessory Building or Buildings designed or intended to be used for a workshop shall be erected on a Site in a C1 District or the Riverlands Districts if the ground floor area of such Accessory Building or Buildings exceeds 40% of the ground floor area of the Principal Building on the Site.
- (3) <sup>4</sup>An accessory building shall not enclose the service valves or shut off valves of a sewer or water line.
- (4) A private garage, or carport, in addition to the other provisions of this section and section 3.11 shall comply with the following:
- (a) where the vehicle entrance to the garage or carport face a lane, the building setback shall be either 6.0 m or 0.9 m from the lane, except in those cases where an easement has been placed along the rear property line, in which event the building setback shall be either 6.0 m or the width of the easement plus 0.5 m from the lane,
  - (b) where the vehicle entrance to the garage or carport face the side boundary of the site which is not a common boundary with a street, the building shall be not less than 6.0 m from the side boundary which the entrance faces. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
  - (c) where the vehicle entrance to the garage or carport face the side boundary of the site which is a common boundary with the street, the building shall be not less than 6.0 m from the nearest edge of the sidewalk abutting such

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<sup>1</sup> 3357/AA-2007, 3357/B-2018

<sup>2</sup> 3357/B-2018

<sup>3</sup> 3357/Q-2016

<sup>4</sup> 3357/D-2021

side boundary and where there is no sidewalk, not less than 2.4 m from such side boundary of the site. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,

(d) <sup>1</sup>DELETED

(5) <sup>2</sup>Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.

<sup>3</sup>(6) Where after being built an Accessory Building or detached Garage is identified on a Real Property Report (RPR) to have been built in an error of not less than 90% or more that 10% of the required setback distance, and provided the structure does not encroach on an easement, it is deemed to still be compliant with the corresponding setback regulation subsection.

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<sup>1</sup> 3357/J-2023

<sup>2</sup> 3357/A-2016, 3357/Q-2016

<sup>3</sup> 3357/J-2023

### **3.6 Landscaping Regulations**

- (1) The Developer shall submit detailed landscape design plans with the application for development for approval by the Development Authority in compliance with the Landscaping Regulations specified herein, which shall include the lands proposed for development as well as all adjacent boulevards and municipal reserves.
- (2) In addition to the requirements section 2.4, the landscape design plan shall include the following additional information:

  - (a) common botanical names;
  - (b) planting standards - excavation for all plantings shall be 50% larger volume than the soil ball and filled with acceptable topsoil. The minimum planting excavation will be 0.6 m x 0.6 m; and
  - (c) number of trees and shrubs.
- (3) <sup>1</sup>The landscape design plans shall include details, specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year round effect as well as any water conservation methods or strategies employed. Any proposed landscaping plan with a naturescaping component for new development or redeveloped site shall be subject to Development Authority approval.
- (4) Landscape details shall consist of not less than the following standards:

  - (a) deciduous trees - minimum calliper 60.0 millimetres (measured 450.0 millimetres from ground level),
  - (b) coniferous trees - minimum height 2.5 m,
  - (c) deciduous shrubs – minimum #2 container class,
  - (d) coniferous shrubs – minimum #2 container class.
- (5) <sup>2</sup>Refer to Section 7.15 Major Entry Areas Overlay District, Subsection (7) for Major Entry Areas Regulations for Landscaping.

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<sup>1</sup> 3357/T-2009

<sup>2</sup> 3357/G-2016

- (6) <sup>1</sup>In all areas other than Major Entryways Areas the following minimum standards shall be met:
- (a) One tree is required for each 60.0m<sup>2</sup> of landscaped area;
  - (b) One shrub is required for each 30.0m<sup>2</sup> of landscaped area;
  - (c) The proportion of deciduous to coniferous trees or shrubs shall be approximately 2:1.
- (7) The use of landscaping is required adjacent to exterior walls which are visible from adjacent public roads, other than lands, to minimize the perceived mass of the building and to create visual interest.
- (8) The landscaping of boulevard and front yards shall include a mixture of coniferous/deciduous tree and shrubs.
- (9) Where off street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells.
- (10) The landscaping treatment shall be in the form of landscaped islands, particularly at the termini of long rows of parking; tree lines separating facing rows of parking stalls, or some other form or combination of landscaping treatments.
- (11) The location, extent and type of plantings and other landscaping treatments shall be to the satisfaction of the Development Authority.
- (12) The applicant shall, as a condition of Development Permit approval, provide an Irrevocable Letter of Credit to The City equal to 100% of the estimated landscaping costs, with the conditions of the security being that:
- (a) if the landscaping is not completed in accordance with the provisions of this Bylaw and the approved landscaping plan within one growing season after the completion of the development, then the amount specified in the Irrevocable Letter of Credit shall be paid to The City on demand for its use absolutely, and
  - (b) Engineering Services shall not release the Irrevocable Letter of Credit until an inspection of the site has demonstrated that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping. This inspection will be performed at the discretion of the Development Authority within four weeks from the

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<sup>1</sup> 3357/T-2009

date of receiving a written request for the applicant to perform said inspection.

- <sup>1</sup>(13) The parking of vehicles, the outdoor display or sale of goods and outdoor storage are all prohibited on any portion of a site which has been approved for landscaping (including the natural display of grass, plants or other landscaping features) unless approved by the Development Authority.
- <sup>2</sup>(14) A minimum of 15% of all Landscaped Area of developments requiring a landscaping plan shall consist of Naturescaping.
- <sup>3</sup>(15) The Developer is responsible for landscaping boulevards and roadway berms adjacent to the lot or development site.
- <sup>4</sup>(16) In addition to subsection (15), with the exception of mixed use district areas, in the case of non-residential lots adjacent to residential lots, landscaping shall provide a visual buffer between the residential and non-residential uses.
- <sup>5</sup>(17) 25% of all front yards of detached, semi-detached and multi-attached dwelling units shall consist of landscaped area.

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<sup>1</sup> 3357/E-2006

<sup>2</sup> 3357/T-2009

<sup>3</sup> 3357/T-2009

<sup>4</sup> 3357/T-2009

<sup>5</sup> 3357/T-2009

### **3.7 Loading Spaces**

- (1) The minimum required number of loading spaces:
- (a) In C1, C1A, C2A, C2B, C3 and C4 Districts, one loading space opposite each loading door with a minimum of one shall be provided.
  - (b) In I1 and I2 Districts, one loading space opposite each loading door with a minimum of one for each 1,858.0 m<sup>2</sup> of floor space shall be provided.
- (2) Loading Space Standard:
- (a) A loading space shall be located on the same site as the building or use in respect of which it is required.
  - (b) A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this section.
  - (c) A loading space shall be designed, located and constructed so that:
    - (i) it is reasonably accessible to any vehicle intended to be accommodated there;
    - (ii) it can be properly maintained; and
    - (iii) it is satisfactory to the Development Authority in size, shape, location and construction.
  - (d) <sup>1</sup>A loading space shall be at least 2.7m wide, having an area of at least 29.0 m<sup>2</sup>, and have an overhead clearance of at least 3.6 m.
  - (e) A loading space and the driveway which provides access thereto shall be surfaced as directed by the Development Authority and be properly maintained.

### **3.8 Deleted**

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<sup>1</sup> 3357/I-2013

<sup>2</sup> 3357/E-2006



### **3.9 Projection Over Yards**

- (1) Except as provided in this part, no person shall allow any portion of the principal building on a site to project into a minimum yard setback.
- (2) On a site in any district, an exterior fire escape not more than 1.2 m wide, provided that in commercial districts an exterior fire escape must be constructed at least 3.6 m above grade.

### **3.10 Number of Buildings per Site**

- (1) Not more than one principal building shall be erected on a lot unless an overall site plan, which provides for one or more groups of buildings, has been approved by the Development Authority.

### **3.11 Restrictions on Corner Site Lines**

- (1) <sup>1</sup>No person shall erect, place, allow or permit any Building, fence, vehicle or trailer, Sign, screening material or object, and no person shall plant or permit to grow any hedges, trees or vegetation which exceeds 0.9m in height on a portion of a Corner Site determined as follows:
  - (a) where the corner site is at the intersection of two lanes or two streets, within a triangular area two sides of which shall be a minimum of 4.5 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect the points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2), or
  - (b) in the case of a site which is at the intersection of a lane and a street, within a triangular area two sides of which shall be a minimum of 3.0 m long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect points so determined on each such boundary (for illustrative purposes see Part 3, Figure 2).
- (2) In the front yard of a site in a residential district, no fence or hedge more than 0.9 m in height shall be permitted within 6.0 m of the intersection of a driveway or lane and a road. (for illustrative purposes see Part 3, Figure 2).

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<sup>1</sup> 3357/B-2018

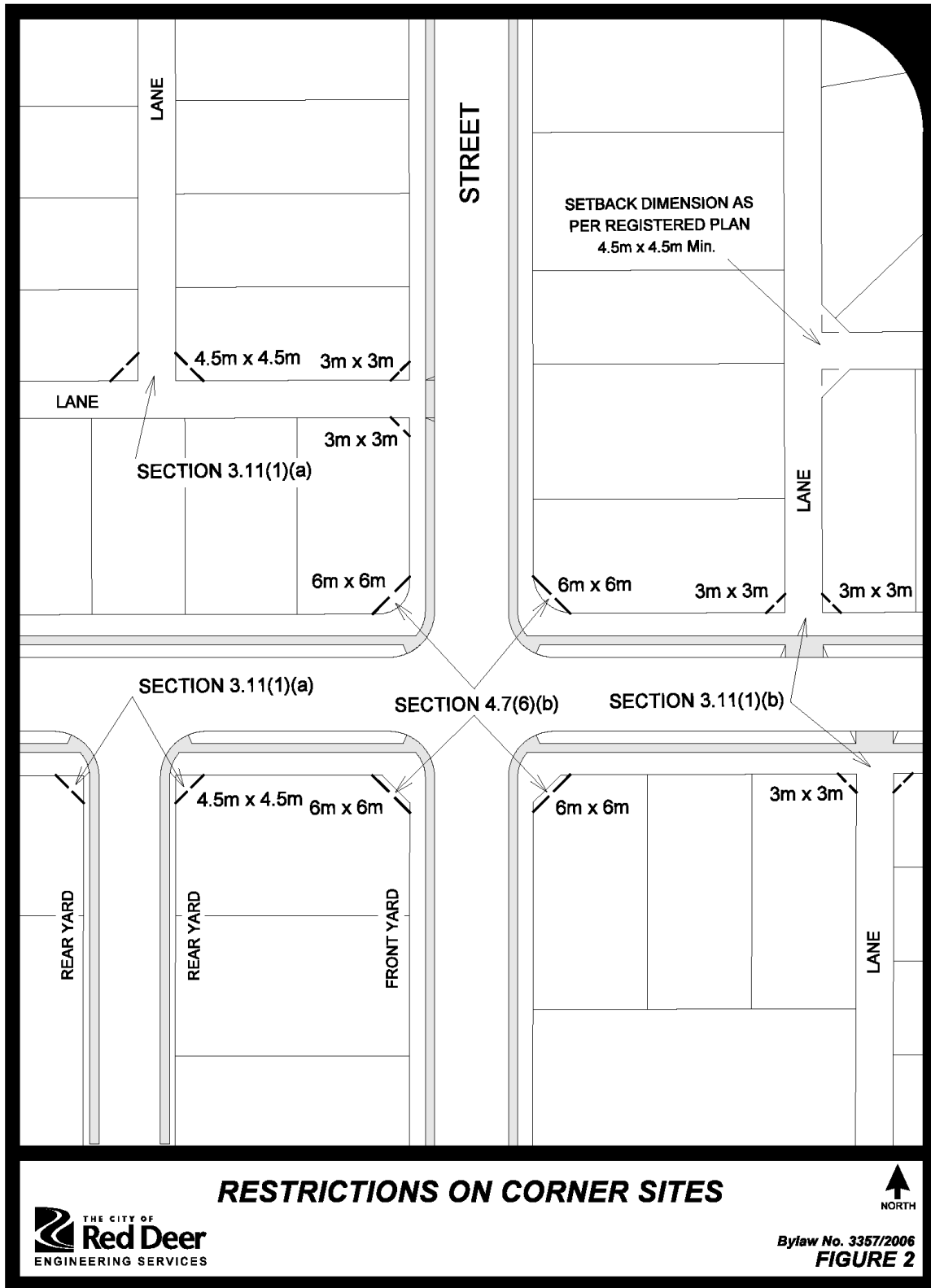
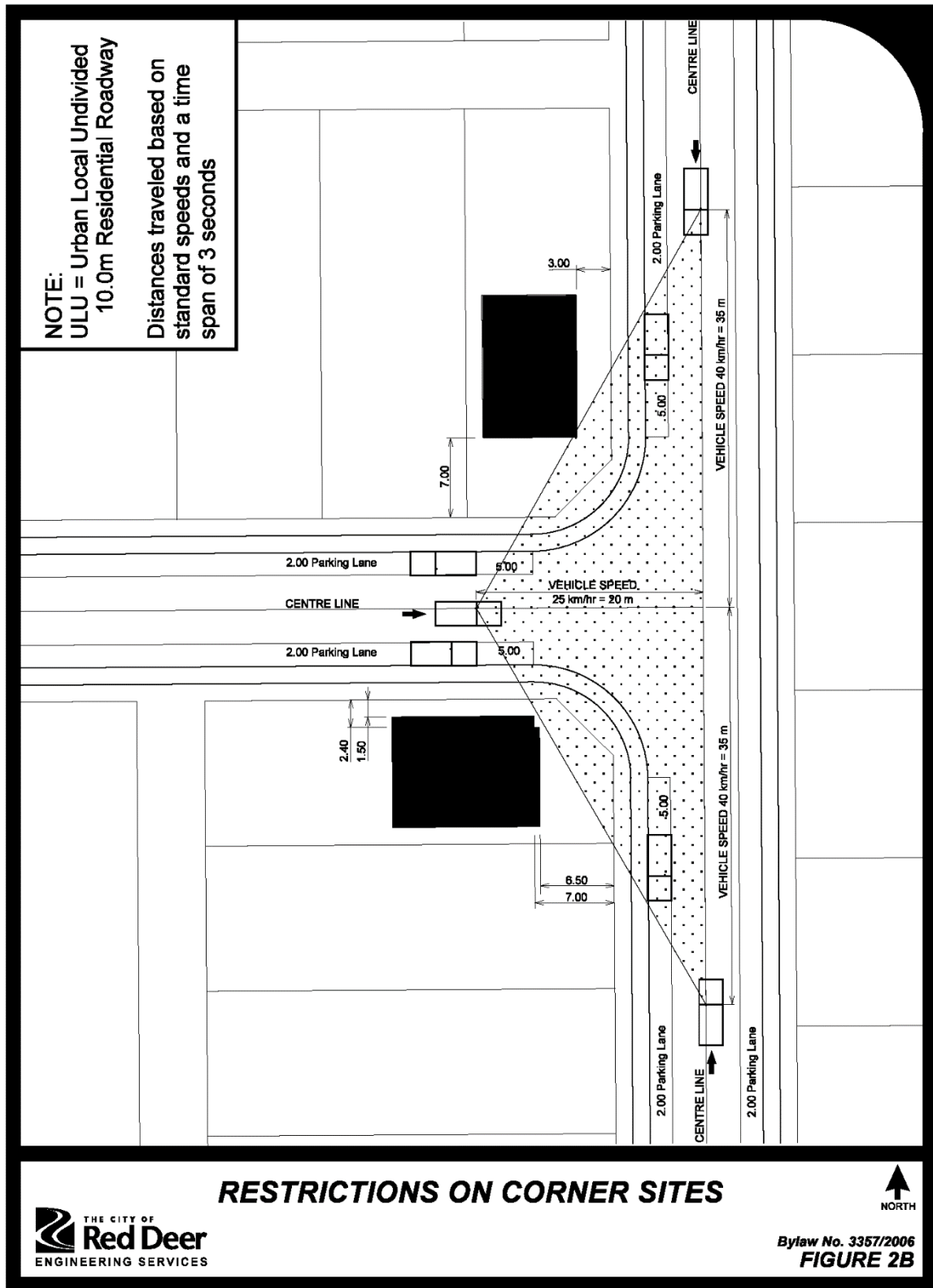


Figure 2-Restrictions on Corner Sites



**RESTRICTIONS ON CORNER SITES**



Bylaw No. 3357/2006  
**FIGURE 2B**

Figure 2B-Restrictions on Corner Sites

**13.12 - DELETED**

**2Figure 3-Major Entry Areas - DELETED**

**3.13 Roof Drainage**

- (1) All roof drainage shall be directed onto the site or as specified by the Development Authority.

**3.14 Similar Use Permit**

- (1) The list of discretionary uses for any land use district shall be deemed to include any use which is, in the opinion of the Commission, consistent with the overall intent of the land use district and similar to a listed permitted or discretionary use.

**3.15 Building Heights**

- (1) The height of a building is the vertical distance measured from the average grade to the highest point of the building.
- (2) <sup>3</sup>The highest point of a Building shall be determined without considering an elevator housing, roof stairway entrance, water tank, ventilating fan, skylight, steeple, chimney, smokestack, fire wall, parapet wall, aerial array, flag pole or similar device or feature not structurally essential to the Building.

**3.16<sup>4</sup> DELETED**

**3.17 Satellite Dish Antennas**

- (1) No satellite dish antenna:
  - (a) shall be located in a front or side yard abutting a street,
  - (b) shall be illuminated, or
  - (c) shall exhibit or display any advertising.

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<sup>1</sup> 3357/G-2016

<sup>2</sup> 3357/G-2016

<sup>3</sup> 3357/B-2018

<sup>4</sup> 3357/W-2015

- (2) Satellite dish antennas greater than 0.8 m in diameter may not be erected in any residential district in such a manner that any part thereof is more than 3.0 m above the grade level, without the approval of the Development Authority.
- (3) Satellite dish antennas 0.8 m in diameter or less:
  - (a) in the case of a residential structure with a pitched roof, no portion of the satellite dish antenna may be located above the highest point of the pitched roof, without the approval of the Development Authority,
  - (b) in the case of a residential structure with a flat roof, may be attached to the building's fascia or soffit or any lower location.

### **3.18 Utility Regulation Stations**

- (1) The <sup>1</sup>Development Authority may approve the erection of a gas, electricity or waterworkspumping, regulating, transformer or storage building or equipment, on a site, notwithstanding that such development does not conform to the area or side yard requirements of this Bylaw.

### **3.19 Electrical Overhead Wiring Separation Distance**

- (1) No building which exceeds 4.4 m in height may be constructed so that any part of it is closer than 4.3 m to a boundary which is adjacent to existing overhead wiring.
- (2) No building which is less than 4.4 m in height may be constructed so that any part of it is closer than 2.5 m to a boundary which is adjacent to existing overhead wiring.
- (3) In order to accommodate electrical wiring and equipment, the Development Authority may require the registration of an easement as a condition of the issuance of a development permit.
- (4) Where there is a difference between the setback required under this section and the setback required under Parts 4-8 of this Bylaw, the greater distance shall prevail.

### **3.20 Fence Regulations**

- (1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:

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<sup>1</sup> 3357/C-2022

- (a) any barbed wire fence or other barbed wire structure or any fence which is surmounted by nails, sharpened spikes, broken glass or other dangerous objects or materials; or
  - (b) <sup>1</sup>any electrified fence; and
  - (c) <sup>2</sup>any fence made of pallets, cloth, tarps, plastic that is non-weather resistant, or materials which may deteriorate quickly in inclement weather, or those of which are deemed unsightly in nature.
- (2) Subsection (1)(a) shall not apply:
  - (a) where barbed wire is placed on a fence at a height of not less than 1.83 m above the level of ground on a fence in a non-residential district;
  - (b) where the fence is located on land designated A-1 Future Urban Development District under this land use bylaw.
- (3) A fence in a residential district or other district in which the principle use is residential, must meet the following requirements:
  - (a) the portion of a fence which is located between the front of the building and the rear property line or along the rear property line may not exceed 2.0 m in height;
  - (b) the portion of a fence which is located between the front of the building and the front property line may not exceed 0.9 m in height.
- (4) For the purpose of subsection (3) the height of a fence is measured from ground level to the top of the fence, except where the fence is located on a retaining wall, in which case the height of the fence shall include the height of the retaining wall.
- (5) The Development Authority may grant a relaxation to the height requirement set out in subsection 3.20 (3).
- (6) No development permit is required for a fence in a residential district or other district in which the primary use is residential except unless a height relaxation under section 3.30 (5) is requested.
- (7) No development permit is required for a fence in a non-residential district.
- (8) <sup>3</sup>No person shall construct, allow or permit a fence to be located on City property, including a road or lane right-of-way, City boulevard, utility lot or municipal reserve lot, without the expressed written permission of The City.

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<sup>1</sup> 3357/L-2020

<sup>2</sup> 3357/L-2020

<sup>3</sup> 3357/A-2012

- (9) <sup>1</sup>All fencing shall take into account the Principal Building appearance to ensure compatibility of surrounding developments.

### **3.21 Cremation Regulations**

- (1) The use of a crematorium, retort or cremation chamber must not result in any noise, odor, smoke or other nuisance which emanates beyond the boundaries of the premises on which the use takes place.

### **3.22 Public Property Regulations**

- (1) No person shall park or leave a vehicle, or any part of a vehicle, on or over any public property.
- (2) The prohibition in subsection (1) does not apply to a vehicle which is parked:
- (a) in a designated parking stall or designated parking areas;
  - (b) on any carriageway intended for the passage of vehicles and where not otherwise prohibited;
  - (c) on public property in accordance with a license from or the express approval of The City.
- (3) Where one or more vehicles are parked or left on public property contrary to subsection (1), it shall be a separate offence for each day that such vehicle(s) is so parked or displayed.
- (4) No person shall store, display or sell goods on any public property, except in accordance with the terms of a valid City business license or other lawful authority granted by The City.
- (5) Subsection (4) does not prohibit occasional sidewalk sales provided that such sales do not impede pedestrian traffic on the sidewalk.

### **3.23 Objects Prohibited or Restricted in Yards**

- (1) No person in lawful possession or control of a site shall allow or permit a trailer parked on such site to be used for living or sleeping accommodation except as follows:
- (a) A trailer parked in an approved campground.

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<sup>1</sup> 3357/L-2020

- (b) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors require close proximity to on-site facilities.
  
- (c) A self-container trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:
  - (i) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
  - (ii) the owner of the site has obtained approval from the Development Authority;
  - (iii) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;
  - (iv) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
  - (v) no fees shall be charged for overnight parking;
  - (vi) the owner of the site will be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.
  
- (d) A trailer parked on a site in a residential district for 48 hours or less between the first day of April and the thirty-first day of October each year providing:
  - (i) the owner of the site obtains approval from the Development Authority;
  - (ii) no rent or fees are paid for the use of the site or facilities;
  - (iii) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.

### **3.24 DELETED**

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<sup>1</sup> 3357/L-2009, 3357/Q-2015



### **3.25 <sup>1</sup>Community Gardens**

Community Gardens are discretionary use in all districts and subject to approval by the Development Authority.

### **3.26 <sup>2</sup>Temporary Buildings**

(1) A temporary building may not be erected without the permission of the Development Authority which may be granted as follows:

(a) any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Development Authority.

(b) a residential land use district provided that:

(i) no such temporary building shall have a floor area exceeding 16.5 square metres, be more than 3.0 metres in height or be set back less than 1.2 metres from the side of the property line; and

(ii) the owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Development Authority;

(iii) there shall be no more than one temporary building per site;

(iv) a temporary building being used as a garage must be placed in the rear yard only;

(v) in the case of a pre-manufactured temporary building, the elevations shall be subject to the approval of the Development Authority;

(vi) the temporary building must be set back at least 1.2 metres from the property line; and

(vii) the permit for the temporary building shall expire at the end of 24 months unless extended by the Development Authority.

(c) <sup>3</sup>Through a Special Event Permit

(2) If an owner fails to comply with the terms and conditions of a temporary building permit, the Development Authority may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands

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<sup>1</sup> 3357/P-2011

<sup>2</sup> 3357/X-2014

<sup>3</sup> 3357/V-2017

upon which the temporary building is situated and shall be payable by the owner to The City on demand.

(3) A temporary building may not be used as a dwelling